

Message Text

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PAGE 01 TOKYO 11385 01 OF 02 290552Z

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ACTION EB-07

INFO OCT-01 EA-09 ISO-00 COME-00 TRSE-00 OMB-01 DOTE-00

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R 290540Z JUL 76

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 1187

UNCLAS SECTION 1 OF 2 TOKYO 11385

EA/J PASS MVMA(M. RIES)

E.O. 11652: N/A

TAGS: ETRD, JA

SUBJECT: AUTO STANDARDS CONSULTATIONS WITH JAPANESE

1. SUMMARY: BUSINESS-LIKE AND GENERALLY POSITIVE CONSULTATIONS WITH THE GOJ WERE HELD JULY 28. POSITIONS, AS STATED IN U.S. AIDE MEMOIRE OF MARCH 22 AND GOJ REPLY OF JULY 12 WERE REVIEWED. PROGRESS WAS MADE ON ISSUES OF DATE OF MANUFACTURE AND ACCEPTANCE OF OTHER THAN PRODUCTION LINE VEHICLES FOR TESTING. FURTHER TALKS WILL PROBABLY BE HELD LATER THIS WEEK BETWEEN MOT AND ARMSTRONG OF DOT/NHTSA. A WRITTEN SUMMARY (COPY BEING POUCHED TO DEPARTMENT) OF OUR MAJOR POINTS IN BOTH ENGLISH AND JAPANESE WAS PRESENTED TO THE JAPANESE SIDE AT THE CONCLUSION OF THE MEETING. END SUMMARY.

2. CONSULTATIONS WITH GOJ ON PROBLEMS FACED BY U.S. MANUFACTURERS IN OBTAINING CERTIFICATION FOR SALE OF U.S. AUTOS IN JAPAN WERE HELD JULY 28. SPOKESMEN FOR GOJ WERE SAITO, DIR, 2 N.A. DIVISION, MOFA AND KITAGAWA, DIR, ENGINEERING DIV, MOT. SAITO CHAIRED MEETING, BUT KITAGAWA DID MOST OF THE TALKING. U.S. DEL WAS LED BY AMB YEUTTER OF STR.

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PAGE 02 TOKYO 11385 01 OF 02 290552Z

3. AGENDA FOLLOWED CHRONOLOGICAL ORDER OF STANDARDS

FORMULATION AND IMPLEMENTATION PROCESS. SUBSTANCE OF EXCHANGES ON EACH ISSUE WAS AS FOLLOWS:

A. LEAD TIME: NO CHANGE FROM POSITIONS OUTLINED IN EXCHANGE OF AIDE MEMOIRES. JAPANESE WILL MAKE "BEST EFFORTS" TO GIVE SUFFICIENT LEAD TIME, BUT RESERVED RIGHT TO ACT WITHOUT LONG ADVANCE NOTICE IN CASES OF EMERGENCY OR SOCIAL PRESSURE.

B. RIGHT OF US MANUFACTURERS TO COMMENT DIRECTLY ON PROPOSED STANDARDS: GOJ (SAITO) ASKED FOR CLARIFICATION OF US POSITION: DID WE WANT BOTH RIGHT TO COMMENT DIRECTLY AND TO COMMENT BEFORE STANDARD BECAME FINAL? AMB. YEUTTER REPLIED THAT THAT WAS WHAT WE WERE AFTER. GOJ MADE NO FURTHER COMMITMENTS BEYOND THOSE CONTAINED JULY 12 AIDE MEMOIRE, BUT DID NOTE THAT MANUFACTURERS HAD BEEN GIVEN OPPORTUNITY TO TESTIFY RECENTLY ON PROPOSED 1978 POLLUTION STANDARDS.

C. PUBLICATION OF QUANTIFIABLE STANDARDS: GOJ STATED THAT UP-TO-DATE LIST OF QUANTIFIABLE STANDARDS AND OF REQUIREMENTS FOR DOCUMENTATION WAS GIVEN TO JAIA ABOUT A MONTH AGO. US EXPRESSED APPRECIATION. AMB YEUTTER ASKED THAT GOJ STUDY LIST OF FOUR SAFETY REQUIREMENTS WE THINK NEED TO BE FORMULATED IN MORE OBJECTIVE TERMS. GOJ AGREED TO STUDY LIST AND TO DISCUSS IT FURTHER WITH MR. ARMSTRONG OF DOT/NHTSA LATER IN THE WEEK.

D. DATE OF MANUFACTURE: GOJ SEEMS READY TO ACCEPT DATE OF MANUFACTURE INSCRIBED ON PLATE PLACED BY MANUFACTURER ON VEHICLE AS RESULT OF INFORMATION AND ASSURANCES CONTAINED IN LETTER FROM NHTSA ADMINISTRATOR GREGORY AND EXPLANATION OF SYSTEM MADE BY DOT'S ARMSTRONG. DETAILS WILL BE CLEARED UP IN FOLLOW-UP MEETINGS WITH ARMSTRONG.

E. TESTING IN THE U.S. AND ACCEPTANCE OF U.S. MANUFACTURER TEST DATA: US EXPRESSED APPRECIATION FOR FACT THAT GOJ ALREADY ACCEPTS US MANUFACTURERS TEST UNCLASSIFIED

UNCLASSIFIED

PAGE 03 TOKYO 11385 01 OF 02 290552Z

DATA TO SATISFY SEVERAL JAPANESE REQUIREMENTS. WE ASKED GOJ TO STUDY A LIST OF OTHER STANDARDS WE THOUGHT COULD BE ADDED TO THIS CATEGORY. US OFFERED TO HAVE TECHNICAL EXPERTS FROM USG AND/OR INDUSTRY COME TO TOKYO IN NEAR FUTURE TO DISCUSS DETAILS. GOJ AGREED TO STUDY THE LIST.

F. ACCEPTANCE BY GOJ OF FULLY REPRESENTATIVE RATHER

THAN PRODUCTION-LINE VEHICLE FOR TESTING: DISCUSSION
WAS SOMEWHAT CONFUSED DUE TO COMPLEXITY OF THE ISSUE
AND DIFFICULTY OF TRANSLATION. GOJ SAID THEY ARE
WILLING TO ACCEPT OTHER THAN PRODUCTION LINE VEHICLE
IF VARIANCE FROM PRODUCTION MODEL IS "MINOR" RATHER
THAN "MAJOR." THEY SAID THEY WOULD GIVE US A PAPER
DEFINING THESE TERMS, BUT THAT MODELS WOULD HAVE TO
BE TREATED ON A CASE BY CASE BASIS DEPENDING ON
WHETHER THERE HAD BEEN A FULL VEHICLE CHANGE OR MERE
MODIFICATION. YEUTTER STATED THAT HE HOPED "MINOR"
AND "MAJOR" WOULD BE INTERPRETED AS LIBERALLY AS
POSSIBLE. KITAGAWA STATED THAT THE ESSENCE OF GOJ
POSITION IS THAT THEY WILL ACCEPT NONPRODUCTION
VEHICLES SO LONG AS THEY HAVE "IDENTICAL STRUCTURE AND
SPECIFICATIONS" AS PRODUCTION-LINE VEHICLES. MR. ARMSTRONG
WILL ATTEMPT TO CLARIFY STATUS OF THIS ISSUE IN
SUBSEQUENT DISCUSSIONS WITH GOJ.

G. PROVISIONAL APPROVAL AND REDUCTION OF TIME
TAKEN BY GOJ TO APPROVE US AUTOS FOR SALE: AMB.
YEUTTER FIRST MADE GENERAL APPEAL IN FAVOR OF SELF-
CERTIFICATION AS THE MOST EFFECTIVE AND ECONOMICAL
METHOD OF STANDARDS ENFORCEMENT, TYING THIS IN WITH
WORK IN GENEVA ON GATT STANDARDS CODE. TURNING TO
SPECIFIC PROBLEM OF AUTOS, HE ADMITTED THAT SELF-
CERTIFICATION IS NOT PRACTICABLE SO LONG AS THERE ARE
NON-QUANTIFIABLE STANDARDS. HE REFERRED TO STRONG GOJ
RESISTANCE TO PROVISIONAL APPROVAL PROPOSAL, AND SAID

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PAGE 01 TOKYO 11385 02 OF 02 290555Z

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UNCLAS SECTION 2 OF 2 TOKYO 11385

WE UNDERSTAND GOJ'S POSITION ON THIS QUESTION. HE THEN ASKED GOJ TO EITHER CERTIFY CAR FOR SALE OR TO GIVE COMPLETE AND DETAILED LIST OF REASONS WHY CERTIFICATION IS NOT POSSIBLE WITHIN 45 DAYS AFTER TEST CAR AND DATA ARE SUBMITTED. AMB. YEUTTER CHARACTERIZED 45 DAY TIME LIMIT AS A "GUIDELINE" WHICH WE BELIEVE TO BE REASONABLE AND ASKED FOR GOJ COOPERATION.

KITAGAWA REPLIED THAT BOTH SELF-CERTIFICATION AND PROVISIONAL APPROVAL WERE NOT POSSIBLE IN JAPAN. HE SAID THAT GOJ FULLY UNDERSTANDS US MANUFACTURER'S DESIRE TO OBTAIN RAPID APPROVAL OF THEIR CARS IN ORDER TO BEGIN SALES. HE PROMISED TO MAKE EFFORTS TO IMPROVE MOT'S RECORD, AND SAID THAT 1976 MODEL CLEARANCE EXPERIENCE WAS ATYPICAL. HE ASKED THAT US MANUFACTURERS ASSIST MOT'S EFFORTS TO BE RESPONSIVE BY MAKING SURE THAT ALL NECESSARY DOCUMENTATION IS RECEIVED BY SEPT. 1.

3. MEETING CONCLUDED WITH PRESENTATION BY NAKAZAWA OF MITI AND SAITO OF MOFA. NAKAZAWA POINTED TO IMPORTANCE OF AUTO TRADE IN US-JAPAN ECONOMIC RELATIONS. HE SAID MITI FORECASTS FOREIGN CAR SALES AT 300,000 UNITS IN 1985. HE URGED US MANUFACTURERS TO INTENSIFY THEIR EFFORTS TO SELL IN THE JAPANESE MARKET, AND SAID THAT MITI IS NOW STUDYING WAYS IN WHICH THE GOJ CAN HELP FOREIGN CAR MANUFACTURERS TO SELL MORE IN JAPAN. AMB. YEUTTER REPLIED
UNCLASSIFIED

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PAGE 02 TOKYO 11385 02 OF 02 290555Z

THAT IF MOT MAKES IMPROVEMENTS IN CLEARANCE PROCESS, WE WILL REACH THE 300,000 UNIT LEVEL MORE QUICKLY.

4. SAITO POINTEDLY RAISED "RUMORS" OF POSSIBLE SECTION 301 ACTION (UNDER TRADE ACT OF 1974) BY U.S. NATIONAL MOTOR VEHICLE ASSOCIATION. HE STRESSED THAT SIMILAR STANDARDS PROBLEMS OCCURRED IN EVERY COUNTRY AND THAT RETALIATORY ACTION IN RESPONSE TO THESE PROBLEMS WOULD BE "USELESS AND HARMFUL." IF SUCH A COMPLAINT WERE MADE TO STR, SAITO URGED AMB. YEUTTER TO CONSIDER THE MATTER "CAREFULLY AND DISCREETLY." AMB. YEUTTER REPLIED THAT HE HAD DELIBERATELY NOT RAISED THE 301 ISSUE TO AVOID ANY APPEARANCE OF THREATENING POSTURE SO THE DISCUSSIONS COULD BE CORDIAL AND CONSTRUCTIVE AS IN FACT THEY HAD BEEN. HE CAUTIONED, HOWEVER, THAT WHETHER OR NOT A 301 ACTION IS INITIATED DEPENDS WHOLLY UPON THE ACTIONS THE GOJ UNDERTAKES IN RESPONSE TO OUR REQUESTS.

5. FOLLOWING THE MEETING, THE US DEL MET WITH MVMA
REP MOLLER AND FORD REP STARKEY TO GIVE THEM A FULL
BRIEFING ON WHAT HAD TRANSPIRED.

6. WE ARE NOW AWAITING THE GOJ'S SUGGESTION RE
FOLLOW-UP MEETINGS TO BE HELD WITH DOT'S ARMSTRONG
AND ARE HOPEFUL THESE CAN BE HELD BEFORE THE END OF
THE WEEK.
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